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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/061,774 | 02/01/2002 | Thomas N. Chalin | WCMI-0028 | 2211 |
| 20558 | 7590 | 07/28/2004 | EXAMINER | |
| KONNEKER & SMITH P. C. 660 NORTH CENTRAL EXPRESSWAY SUITE 230 PLANO, TX 75074 | | | CULBRETH, ERIC D | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3616 | |

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/061,774

Applicant(s)

CHALIN ET AL.

Examiner

Eric D Culbreth

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 and 47-75 is/are pending in the application.
- 4a) Of the above claim(s) 11-13, 39, 56-58 and 69 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-30 is/are allowed.
- 6) ☒ Claim(s) 1, 5, 6, 14, 31-33, 35, 36, 44, 45, 49-51, 59-61, 63, 65, 66, 74 and 75 is/are rejected.
- 7) ☒ Claim(s) 2-4, 7-10, 34, 37, 38, 40-43, 47, 48, 52-55, 62, 64, 67, 68 and 70-73 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 5-6, 14, 31-33, 35-36, 44-45, 49-51, 59-61, 63, 65-66, and 74-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith et al (US Patent 6,491,314, of record).

Smith et al discloses a suspension comprising axle 90, sleeve 362, 366 (Figure 39) clamped on the axle in a clamped position without press fitting (column 15, lines 15-20, where the plates 362, 366 are compressed about the axle, which is not "press fitting", where the axle would be forced through the already joined plates), and the sleeve 360 formed of plates 362, 366 welded in the clamped position. In Figure 39, arm 482 is attached to the axle by welding directly to the sleeve at beads 500 (claims 1 and 75).

- The sleeve in Figure 39 is welded to the axle in at least one opening formed laterally through the sleeve (column 18, lines 42-46) (claim 5), and the sleeve 362, 366 in Figure 9 is welded by beads 500 to arm 482 at openings formed through opposing side walls of the arm (claim 6).

Sleeve 362, 366 extends more than 180 degrees about axle 90 in Figure 39 (claims 14, 44, 59, and 74).

When the sleeve is compressed onto the axle, it is done without press-fitting, removing clearance between the sleeve and axle as functionally recited. Compressing the sleeve on the axle applies a compressive stress between the sleeve and axle. The sleeve is welded to the axle as per column 18, lines 42-46, and the sleeve is welded to opposite side walls by welds 500

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(claims 31 and 60). Members or edges 364, 368 of the sleeve are welded together to retain the compressive stress between the sleeve and axle (claims 32 and 61), and the edges are included in a clamp portion (i.e. the ends) of the sleeve (claims 33 and 63).

The clamp portion (the ends of the sleeve) are welded to the side walls by beads 500 in Figure 39 (claims 35 and 65), and the clamp portions or ends are between the side walls (claims 36 and 66).

Regarding claim 45, the sleeve is welded in its clamped position prior to the sleeve being welded to the axle (column 18, lines 42-46).

The sleeve is welded in its clamped position by a weld extending structure members (edges) of the clamp portion (ends) of the sleeve (claim 49), the sleeve is welded to the axle in at least one opening formed laterally through the sleeve (claim 50), and the sleeve is welded to the arm at openings formed through opposing side walls of the arm (claim 51).

In view of the new application of Smith et al, the examiner regrets the earlier indication of allowability of some the claims above now rejected.

Allowable Subject Matter

3. Claims 15-30 are allowed.
4. Claims 2-4, 7-10, 34, 37-38, 40-43, 47-48, 52-55, 62, 64, 67-68, and 70-73 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric D Culbreth whose telephone number is 703/308-0360. The examiner can normally be reached on Monday-Thursday, 9:30-7:00 alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 703-308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric D Culbreth
Primary Examiner
Art Unit 3616



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